

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Christina Vuong	Team: Team # 3	CCRB Case #: 201112005	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 09/17/2011 2:00 PM	Location of Incident: § 87(2)(b) § 87(2)(b)	Precinct: 44	18 Mo. SOL 3/17/2013	EO SOL 3/17/2013	
Date/Time CV Reported Mon, 09/19/2011 12:27 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 09/19/2011 12:27 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Wilfredo Benitez	15506	947459	044 PCT
2. POM Alexis Dejesus	01421	946903	044 PCT
3. POM Richard Mclees	07781	948092	044 PCT
4. Officers			

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Abuse: Officers entered § 87(2)(b) in the Bronx.	
B.POM Richard Mclees	Abuse: PO Richard Mclees searched § 87(2)(b) in the Bronx.	
C.POM Wilfredo Benitez	Abuse: PO Wilfredo Benitez searched § 87(2)(b) in the Bronx.	
D.POM Alexis Dejesus	Abuse: PO Alexis Dejesus refused to provide his name and shield number to § 87(2)(b)	
E.POM Wilfredo Benitez	Abuse: PO Wilfredo Benitez refused to provide his name and shield number to § 87(2)(b)	

Case Summary

On September 19, 2011, § 87(2)(b) filed the following complaint via phone with the Civilian Complaint Review Board (CCRB) (encl. D1-2).

On September 17, 2011 at approximately 2:00PM, PO Alexis DeJesus, PO Wilfredo Benitez, and PO Richard Mclees of the 44th Precinct responded to a 911 call for a rescue job at § 87(2)(b)'s apartment at § 87(2)(b) § 87(2)(b) in the Bronx. The following allegations resulted:

Allegation A- Abuse: Officers entered § 87(2)(b) § 87(2)(b) in the Bronx.

§ 87(2)(b), § 87(2)(g)

Allegation B- Abuse: PO Richard Mclees searched § 87(2)(b) § 87(2)(b) in the Bronx.

§ 87(2)(b), § 87(2)(g)

Allegation C- Abuse: PO Wilfredo Benitez searched § 87(2)(b) § 87(2)(b) in the Bronx.

§ 87(2)(b), § 87(2)(g)

Allegation D- Abuse: PO Alexis DeJesus refused to provide his name and shield number to § 87(2)(b)

Allegation E- Abuse: PO Wilfredo Benitez refused to provided his name and shield number to

§ 87(2)(b)

§ 87(2)(b), § 87(2)(g)

Results of Investigation

Civilian Statements:

Complainant/ Victim: § 87(2)(b)

- § 87(2)(b) is § 87(2)(b)-old, 5'0" tall black female of unknown weight with black hair and § 87(2)(b) eyes.

CCRB Statement

On September 29, 2011, § 87(2)(b) provided an in-person statement at the CCRB (encl. D4-8).

On September 17, 2011 at approximately 2:00PM, § 87(2)(b) was sleeping in her bed at § 87(2)(b) § 87(2)(b) in the Bronx. § 87(2)(b) stated that she is a heavy sleeper. She woke up to the sound of loud banging at her front door as well as at her fire escape. An individual, who § 87(2)(b) believed was an officer, was at her fire escape kicking her fire gate in. This individual was described as a uniformed white male, 5'6" tall, medium build, with blue eyes and § 87(2)(b) hair. [The investigation determined that this was an EMT and identified him as § 87(2)(b) went to the window. EMT § 87(2)(b) told her to open the door. § 87(2)(b) then heard the sound of something

jamming at her front door and an additional voice behind it shouting for her to open the door. § 87(2)(b) went to the front door and said, “Wait a minute,” but officers kept banging at the door.

Two minutes later, the door was broken and four officers and three EMS personnel were inside her apartment. § 87(2)(b) s daughter § 87(2)(b) went inside her apartment as well while her superintendent § 87(2)(b) remained outside.

§ 87(2)(b) described herself as furious. She yelled, “What the fuck is wrong with you?” PO Benitez, later identified by § 87(2)(b) by name which she was able to read off of his nameplate due to his proximity, said, “Well you didn’t come open your door.” PO Benitez told PO De Jesus, later identified by § 87(2)(b) by name which she was able to read off of his nameplate, to handcuff § 87(2)(b) because “she’s acting crazy.” PO De Jesus is described as a Hispanic male in his 30s of medium build, with a short buzz cut. PO Benitez is described as a dark skinned Hispanic or black male in his mid-40s.

After she was handcuffed, PO Richard Mclees, who was identified via the investigation, went into her bedroom and looked through her dresser shelves and drawers; PO Mclees also shook her bedsheets. PO De Jesus was standing next to § 87(2)(b) PO Benitez emptied the contents, which are unknown, of § 87(2)(b) s pocketbook onto the living room couch. § 87(2)(b) did not know what he was looking for. PO Benitez found pepper spray atop a washing machine in the living room. § 87(2)(b) explained that she obtained the pepper spray from her work at a courthouse.

PO De Jesus accompanied § 87(2)(b) in the ambulance to the hospital, and was joined at the hospital by PO Benitez. § 87(2)(b) was taken to the psychiatric ward at § 87(2)(b) Hospital. PO De Jesus told § 87(2)(b) that she needed to cooperate with them. § 87(2)(b) said “For what? I need your information and his information.” § 87(2)(b) clarified to the CCRB that she meant his name and his badge number but did not explicitly say as such to the officers. She wanted the officers to verbally confirm what she memorized from their uniform nameplates. At the hospital, § 87(2)(b) requested PO De Jesus and PO Benitez to provide their “information,” to which one responded “Well we’ll give it to you later.” § 87(2)(b) again asked for PO De Jesus and PO Benitez’s “information” before they left, to which one responded, “You don’t need it. You’ll get it later.”

Notice of Claim

On December 5, 2012, § 87(2)(b) filed a Notice of Claim with the City of New York alleging that she was unlawfully arrested, restrained, imprisoned, assaulted, battered, and humiliated during the incident.

Witness: § 87(2)(b)

- § 87(2)(b) is a § 87(2)(b) -old female of unknown height and weight. She is § 87(2)(b) s daughter.
- § 87(2)(b) resides in Newburgh, NY and was unable to make an in-person statement.

CCRB Statement

On November 25, 2011, § 87(2)(b) provided a statement to the CCRB over the phone (encl. D9-11). She corroborated details of her mother’s statement with the following additions.

On September 17, 2011, § 87(2)(b) knocked on her mother § 87(2)(b) s door multiple times but there was no response. They had spoken earlier that morning to confirm that § 87(2)(b) could return home. § 87(2)(b) states that her mom has had prior instances of unresponsiveness due to diabetes

sugar imbalances. However, this instance lasted an abnormally long time and her mom was alone. § 87(2)(b) contacted her aunt § 87(2)(b) § 87(2)(b) who called 911.

A male and female EMT arrived shortly thereafter. § 87(2)(b) identified herself explained the situation to the EMTs and § 87(2)(b). Two males wearing all black arrived with a hammer and forced open the door. Three uniformed officers came upstairs immediately after the door was opened.

The officers, EMTs, and § 87(2)(b) went into the living room. § 87(2)(b) noted that her mother was upset. § 87(2)(b) was repeatedly asking “why” and saying that they would pay for her door. The officers were telling her to calm down. An officer identified by the investigation as PO Benitez told another officer, identified by the investigation as PO De Jesus, to handcuff § 87(2)(b). PO Benitez asked § 87(2)(b) if her mom took any medications. § 87(2)(b) told PO Benitez that her mom only took diabetes medication and showed him medication in the refrigerator.

PO Benitez asked § 87(2)(b) where her mother’s ID was. § 87(2)(b) told PO Benitez that the ID was in § 87(2)(b)’s purse. PO Benitez then flipped open the purse, dumping out its contents. One of the officers then grabbed the pepper spray, which was in the area. The officers recovered a bottle of pills from § 87(2)(b)’s purse. The bottle of pills were for § 87(2)(b)’s dermatological condition. An officer described as a 6’0” tall white male, identified by the investigation as PO Mclees, went inside § 87(2)(b)’s bedroom and rifled through § 87(2)(b)’s dressers, items on a chair, and her bed. § 87(2)(b) described the dresser as a closet that has a rack on one side and drawers on the other. § 87(2)(b) saw PO Mclees opening the drawers. The officers did not look anywhere else in the apartment.

The officers took § 87(2)(b) to the hospital, and § 87(2)(b) remained at the location. .

Witness: § 87(2)(b)

- EMT § 87(2)(b) is a § 87(2)(b)-old, 5’10” tall, 210lb Hispanic male with § 87(2)(b) hair and blue eyes.
- EMT § 87(2)(b) is an EMT and was working with EMT § 87(2)(b) on the date of the incident.

CCRB Statement

On January 20, 2012, EMT § 87(2)(b) provided a statement to the CCRB (encl. D12-17).

On September 17, 2011 at approximately 2:00PM, EMT § 87(2)(b) and EMT § 87(2)(b) received an unspecified call at § 87(2)(b) § 87(2)(b) in the Bronx. EMT § 87(2)(b) and EMT § 87(2)(b) were met by § 87(2)(b) EMT § 87(2)(b) and EMT § 87(2)(b) knocked several times with no response. EMT § 87(2)(b) asked for a callback to confirm that EMS was at the right address and right apartment. The dispatcher confirmed the information, and after being told by EMS that an entry could not be made, sent over NYPD and the FDNY fire suppression unit. Two minutes later, NYPD arrived.

EMT § 87(2)(b) described the building as a multi-dwelling 4-5 story walkup. He noted that there was a fire escape at the back of the building. EMT § 87(2)(b) went down the fire escape and knocked on the window. EMT § 87(2)(b) described § 87(2)(b) as hostile and cursing at him. EMT § 87(2)(b) told § 87(2)(b) “Ma’am, we’re knocking on your door. Can you please open the door so we can talk to you?” § 87(2)(b) replied, “I ain’t opening no fucking door. Get out of here, I want to be left alone.” EMT § 87(2)(b) then heard the noises of the fire suppression unit taking down the front door. § 87(2)(b)

§ 87(2)(b) started screaming towards the direction of the front door and ran in that direction. EMT § 87(2)(b) went back up and around.

When EMT § 87(2)(b) reached the front door and entered the apartment, § 87(2)(b) was already in handcuffs. Everyone was in the living room and foyer area. EMT § 87(2)(b) recalled that an NYPD sergeant with a gold shield was on scene as well as three or four officers. The sergeant was standing in front of § 87(2)(b) trying to get information from § 87(2)(b) questioning why she was not opening the door. § 87(2)(b) remained hostile, cursing and yelling. § 87(2)(b) told everyone that she just wanted to be left alone, that she did not have to nor did she want to open her door. § 87(2)(b) was not responding to any questions. EMT § 87(2)(b) states that most of the information was gathered through the daughter, such as § 87(2)(b)'s name, date of birth, contact numbers, and medical problems.

EMT § 87(2)(b) recalled that officers were looking around the living room area for ID and medication. He could not elaborate where specifically they were looking. EMT § 87(2)(b) is not sure if any of the officers went into different rooms or not. EMT § 87(2)(b) stayed in the foyer area. EMT § 87(2)(b) stated that in the case where a patient was reluctant to provide personal information, EMS must make an attempt to find out. He clarified that they can do a basic visual sweep for a pocketbook or wallet and obtain information from that, but any action that's more invasive would be done by police authorities. EMT § 87(2)(b) did not take either of those actions and is unsure whether his partner or any officer did so.

EMT § 87(2)(b) recalled that over-the-counter medications were recovered from an unknown location, as was a bottle of pepper spray from possibly the foyer area at some point.

EMT § 87(2)(b) classified § 87(2)(b) as emotionally disturbed and in need of an evaluation, and transported her to § 87(2)(b) Hospital.

Witness: § 87(2)(b)

- EMT § 87(2)(b) is a § 87(2)(b)-old, 5'3" tall, 145lb. Hispanic female with § 87(2)(b) hair and § 87(2)(b) eyes.
- EMT § 87(2)(b) is an EMT and was working with EMT § 87(2)(b) on the date of the incident.

CCRB Statement

On January 20, 2012, EMT § 87(2)(b) provided a statement to the CCRB. (encl. D18-21). EMT § 87(2)(b) corroborated EMT § 87(2)(b)'s testimony with the following additions.

EMT § 87(2)(b) filled out the first page of Ambulance Call Report. EMT § 87(2)(b) stated that § 87(2)(b)'s name was obtained from an empty pill bottle recovered in that immediate area. EMT § 87(2)(b) does not remember who recovered it or from where. EMT § 87(2)(b) also recalled that § 87(2)(b)'s pepper spray was in public view and also recovered from the immediate area. EMT § 87(2)(b) made no mention of § 87(2)(b)'s purse being searched.

EMT § 87(2)(b) stayed close to the entrance of the apartment and went no further. She did not recall anyone going into another area of the apartment.

Witness: § 87(2)(b)

- § 87(2)(b) is the § 87(2)(b) at § 87(2)(b) in the Bronx.

§ 87(2)(b) was contacted via phone on December 2, 2011 (encl. D3). § 87(2)(b) stated that he witnessed a male he assumed was an officer using a “rammer” tool to break down § 87(2)(b)’s door while the EMTs and other officers were gathered in the hallway outside the apartment. He saw § 87(2)(b) being taken out of her apartment to the ambulance. § 87(2)(b) did not enter the apartment and did not witness any of the officers’ actions inside the apartment.

NYPD Statements:

Subject Officer: PO ALEXIS DEJESUS (44th PRECINCT)

- *PO DeJesus is a § 87(2)(b).*
- *On September 17, 2011, PO DeJesus was assigned to a conditions team and partnered with PO Wilfredo Benitez and PO Richard Mclees in RMP 8669. PO DeJesus was in uniform and worked from 8:00AM to 4:35PM.*

Memobook

PO DeJesus had several memobook entries relevant to this incident (encl. E1-2). At 1:50PM, PO DeJesus responded to a job at § 87(2)(b), § 87(2)(b) in the Bronx. At 1:55PM, he marked that FDNY gained access to the apartment, and at 2:00PM, § 87(2)(b) was removed to the hospital. § 87(2)(b) was escorted at 2:10PM and PO DeJesus resumed patrol at 2:40PM.

CCRB Statement

On December 15, 2011, PO DeJesus provided a statement to the CCRB (encl. E3-5).

On September 17, 2011 at 2:00PM, PO DeJesus and his partners responded to a call for assistance at § 87(2)(b) in the Bronx. The officers met § 87(2)(b) and the two EMTs in the hallway. § 87(2)(b) stated her mother was diabetic: if § 87(2)(b) was not taking her medication, she might be passed out on her bed. § 87(2)(b) said that she wanted to go in.

PO DeJesus and EMT § 87(2)(b) went up to the roof to see if there was another way to enter the apartment. EMT § 87(2)(b) checked the fire escape. When he and EMT § 87(2)(b) returned to the hallway, two or three FDNY members were opening § 87(2)(b)’s apartment door with a tool that jammed the lock. When the door was opened, someone called for § 87(2)(b) who came running and screaming to the door. PO DeJesus described § 87(2)(b)’s demeanor as violent. § 87(2)(b) was flailing her arms, kicking and slamming the door, throwing clothes, and moving furniture. PO DeJesus also found very strong pepper spray in the apartment near the kitchen. PO DeJesus asked § 87(2)(b) if she was a law enforcement officer. § 87(2)(b) replied that she got the pepper spray from a friend.

PO DeJesus handcuffed § 87(2)(b) for safety purposes and stood next to her. PO DeJesus stated that he never went past the front area of the apartment (kitchen and living room). He does not know where the other officers were in the apartment.

EMS asked § 87(2)(b) what medications she was taking, but she did not answer. The officers asked § 87(2)(b) if her mother took any medications and where they could be found. At some point, § 87(2)(b) was asked for her mother’s ID. § 87(2)(b) either pointed out § 87(2)(b)’s purse in the living room or grabbed it herself. One of the EMTs looked inside the purse and saw the ID. They took the ID and filled out paperwork.

Sgt. Gabriel Diaz, the patrol supervisor, was contacted on his phone beforehand about a possible EDP and was at some point present on the scene. Sgt. Diaz instructed the officers to escort § 87(2)(b) to the hospital.

PO DeJesus and PO Benitez escorted her in the ambulance to the hospital. PO DeJesus estimates the interaction at the apartment lasted approximately 7 minutes. PO DeJesus stated that at no point during their entire interaction with § 87(2)(b) did she request his or another officer's "information" or name and badge number.

Subject Officer: PO WILFREDO BENITEZ (44th PRECINCT)

- *PO Benitez is a § 87(2)(b).*
- *On September 17, 2011, PO Benitez had the same tour and assignment as PO DeJesus and PO Mclees.*

Memobook

PO Benitez lost his memobook. On October 12, 2011, PO Benitez completed a complaint report, UF-§ 87(2)(b), in regards to the missing memobook (encl. E5a-b).

CCRB Statement

On December 28, 2011, PO Benitez provided a statement to the CCRB (encl. E6-8). He corroborated PO DeJesus' testimony with the following additions.

Once FDNY opened § 87(2)(b)'s door, EMS and the officers entered. § 87(2)(b) "started to go crazy and out of control." PO Benitez called Sgt. Diaz on his cellphone and explained the situation. Sgt. Diaz instructed him to EDP her and escort her to the hospital.

§ 87(2)(b) was handcuffed and EMS asked for her ID. § 87(2)(b) verbally refused to give her name or ID to EMS. However, PO Benitez noted that § 87(2)(b)'s purse was on the living room sofa and halfway opened. An unidentified individual said, "That's the purse right there." The female EMT, § 87(2)(b) opened the purse to get information. PO Benitez stated that § 87(2)(b) may have gone to her mother's bedroom to get the ID but didn't find it. PO Benitez stated that there was a lot of commotion in the apartment.

PO Benitez stated that everyone was in the living room area in the front of the apartment. He does not recall if anyone left the living room area. PO Benitez does not recall if § 87(2)(b) requested any officer's information or his name and badge number.

Subject Officer: PO RICHARD MCLEES (44th PRECINCT)

- *PO Mclees is a § 87(2)(b).*
- *On September 17, 2011, PO Mclees had the same tour and assignment as PO DeJesus and PO Benitez.*

Memobook

PO Mclees had one memobook entry relevant to this incident (encl. E9-10). At 2:25PM, PO Mclees marked a general 10-10 rescue job at § 87(2)(b) § 87(2)(b) in the Bronx.

CCRB Statement

On January 5, 2012, PO Mclees provided a statement to the CCRB (encl. E11-13). He corroborated PO DeJesus and PO Benitez's statements with the following additions.

After the entry was effected, all three officers were talking to both § 87(2)(b) and § 87(2)(b) simultaneously. EMS asked § 87(2)(b) for her ID and medications. When § 87(2)(b) did not answer, the officers asked § 87(2)(b) to get her mother's ID to give to EMS. § 87(2)(b) opened § 87(2)(b)'s pocketbook, which was on the couch in the living room. When § 87(2)(b) opened the pocketbook, PO DeJesus saw a blue can of pepper spray, similar to what police officers carry. PO Mclees did not see who physically grabbed the pepper spray from the pocketbook or how they grabbed it. He remembers PO DeJesus having the pepper spray in his possession. PO Mclees saw that EMS had obtained § 87(2)(b)'s pills but was unsure from where they were retrieved or who retrieved them.

PO Mclees spoke with the superintendent and the building management company to explain why the door was broken, and that it will be repaired. PO Mclees did not see anyone go anywhere beyond the kitchen and living room area. PO Mclees does not recall any other unit on scene.

Medical Records

The Ambulance Call Report filled out by EMT § 87(2)(b) and EMT § 87(2)(b) indicated that § 87(2)(b) was "non-cooperative, aggressive, and violent" (encl. F2-4). EMT § 87(2)(b) noted in the narrative that § 87(2)(b) refused to provide her personal information or allow the crew to physically examine her.

§ 87(2)(b) was transported to § 87(2)(b) Hospital in the Bronx for a general psychiatric evaluation (encl. F1-47). She stated to the attending physician that she was sleeping and did not hear the phone ring. Subsequently, she reported that NYPD broke down her door. § 87(2)(b) had no prior psychiatric history and no psychiatric findings, and was discharged the same day.

NYPD Document(s)

SPRINT and Communications CD

As per the print-out and recording of the 911 CD and for SPRINT job § 87(2)(b) beginning at 1:36PM, § 87(2)(b) § 87(2)(b)'s sister-in-law, placed a call to 911 to report that § 87(2)(b) was not answering the door after § 87(2)(b) told § 87(2)(b) § 87(2)(b) to send § 87(2)(b) home that morning (encl. G1). § 87(2)(b) § 87(2)(b) stated to the EMS dispatcher that she had spoken to § 87(2)(b) that morning and § 87(2)(b) was at home because her car was on the street. § 87(2)(b) § 87(2)(b) stated that she was unsure if § 87(2)(b) was awake or breathing, and has a history of passing out from her diabetes.

AIDED Report

A request for the AIDED card pertaining to § 87(2)(b) was sent to the 44th Precinct as well as to the Monitoring and Analysis Section of the Department Advocate's Office (MAS) with negative results.

Status of Civil Proceedings

- § 87(2)(b) filed a Notice of Claim with the City of New York on December 2, 2011, claiming personal, physical, and emotional injury and seeking \$1 million as redress (encl. H1-3).
- As of April 19, 2012, 50H hearings have not been held or scheduled.

§ 87(2)(b)

Civilian(s) CCRB History

- This is the first CCRB complaint filed by § 87(2)(b) (encl.B4).

Subject Officer(s) CCRB History

- PO DeJesus has been a member of service for three years and there are no substantiated CCRB allegations against him (encl. B1).
- PO Benitez has been a member of service for three years and there are no substantiated CCRB allegations against him (encl. B2).
- PO Mclees has been a member of service for three years and there are no substantiated CCRB allegations against him (encl. B3).

Conclusion

Identification of Subject Officer(s)

- The entry is separately pleaded against “officers” because it was a collective decision to gain entry into § 87(2)(b)'s apartment and the entry involved EMT and FDNY personnel as well.
- PO DeJesus, PO Benitez, and PO Mclees acknowledged that they interacted with § 87(2)(b)
- A search allegation is pleaded against PO Mclees because he fits the description provided by § 87(2)(b) of the 6'0” tall white male officer that went into § 87(2)(b)'s bedroom.

Investigative Findings and Recommendations

Allegation A- Abuse: Officers entered § 87(2)(b) § 87(2)(b) in the Bronx.

It is not disputed that a 911 call was placed reporting an unconscious person inside § 87(2)(b)'s apartment. It is not disputed that § 87(2)(b) was worried about her mother. It is not disputed that the FDNY's fire suppression unit initiated and effected the entry. It is not disputed that PO DeJesus, PO Benitez, and PO Mclees entered § 87(2)(b)'s apartment. It is not disputed that § 87(2)(b) was angry when officers entered her apartment. It is not disputed that § 87(2)(b) was removed to § 87(2)(b) Hospital.

An officer may make a warrantless entry in exceptional circumstances, such as in a perceived emergency where a threat to human life exists. People of the State of New York, Respondent, v. James Mitchell, Appellant, 39 N.Y.2d 173; 347 N.E.2d 607; 383 N.Y.S.2d 246 (1976) (encl. A1-6).

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

Allegation B- Abuse: PO Richard Mclees searched § 87(2)(b) § 87(2)(b) in the Bronx.

§ 87(2)(b) alleged that PO Mclees went inside § 87(2)(b)'s bedroom, shook her sheets, looked through her dresser, and rifled through her drawers. PO Mclees did not recall whether he or any other person on scene went into any other areas of § 87(2)(b)'s apartment beyond the general living room area. § 87(2)(b) corroborated this allegation, but no officer or any other witness stated that PO Mclees or any other officer searched § 87(2)(b)'s bedroom. § 87(2)(b), § 87(2)(g)

Allegation C- Abuse: PO Wilfredo Benitez searched § 87(2)(b) § 87(2)(b) in the Bronx.

It is not disputed that the scene at the apartment was chaotic following the entry. It is not disputed that a bottle of pepper spray was recovered and vouchered from the scene. § 87(2)(b) and her daughter alleged that PO Benitez emptied out the contents of § 87(2)(b)'s pocketbook on the living room couch. PO Benitez and PO De Jesus stated that an EMT searched her purse. PO McClees stated that § 87(2)(b) opened the pocketbook. § 87(2)(b), § 87(2)(g)

Allegation D- Abuse: PO Alexis DeJesus refused to provide his name and shield number to § 87(2)(b)

Allegation E- Abuse: PO Wilfredo Benitez refused to provided his name and shield number to

§ 87(2)(b)

§ 87(2)(b) stated that she requested PO DeJesus and PO Benitez multiple times to provide their names and shield numbers but received no response. Even though § 87(2)(b) ultimately obtained the officers' names by reading them off of their uniforms, she stated that the officers did not provide this information upon request. However, neither PO DeJesus nor PO Benitez recalled § 87(2)(b) making such a request. § 87(2)(b), § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Team: _____

:

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date